

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SARAH HARPER
Plaintiff

v.

ANTHONY MISITANO, et al.,
Defendants

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No. 1:15-cv-2205

(Judge Kane)

ORDER

AND NOW, on this 22nd day of August 2016, **IT IS HEREBY ORDERED THAT:**

1. Defendants' Anthony Misitano and Post Acute Medical, LLC motion to dismiss (Doc. No. 9) is **GRANTED** as follows:
 - a. Plaintiff's Title VII claim against Defendant Anthony Misitano, raised in Count I of Plaintiff's complaint (Doc. No. 1), is **DISMISSED WITH PREJUDICE**;
 - b. Plaintiff's intentional infliction of emotional distress claim against Defendants Anthony Misitano and Post Acute Medical, LLC, raised in Count II of Plaintiff's complaint (Doc. No. 1), is **DISMISSED WITHOUT PREJUDICE**;
 - c. Plaintiff's negligent infliction of emotional distress claim against Defendants Anthony Misitano and Post Acute Medical, LLC, raised in Count III of Plaintiff's complaint (Doc. No. 1), is **DISMISSED WITHOUT PREJUDICE**; and
 - d. Plaintiff's PHRA claims against Defendant Anthony Misitano, raised in Count IV of Plaintiff's complaint (Doc. No. 1), are **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff is granted leave to amend her complaint, (Doc. No. 1), within thirty days of the date of this order to cure the defects noted in the accompanying memorandum.

s/ Yvette Kane

Yvette Kane, District Judge
Middle District of Pennsylvania